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September 5, 2008

BY E-FILING

The Honorable Joseph J. Farnan, Jr.
United States District Court
844 North King Street
Wilmington, DE 19801

Re: *BigBand Networks, Inc. v. Imagine Communications, Inc.*
C.A. No. 07-351 (JJF) (D. Del.)

Dear Judge Farnan:

Pursuant to the Court's minute order dated June 6, 2008, I write on behalf of the parties to update the Court regarding the status of the above-referenced matter.

At the hearing on June 6, 2008, the Court took all deadlines off calendar to allow the parties to pursue mediation, which was then scheduled for August 19, 2008. Prior to the scheduled mediation, Imagine's lead counsel, John Benassi, passed away unexpectedly. The parties then postponed their mediation until October 16, 2008.

If the Court is amenable, the parties propose that they submit a further status letter following the October 16 mediation, and by not later than October 24, 2008.

The parties are available at the Court's convenience should the Court desire further information.

Respectfully,

/s/ Karen Jacobs Louden

Karen Jacobs Louden

cc.: Peter P. Chen, Esq. (by email)
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